

Colorado Child Support Guidelines

(For cases on or after July 1, 2021 only)

Revised October 2021

1. Preface

The Child Support Guidelines for Colorado were developed by the Colorado Child Support Commission and approved by the Colorado General Assembly. As reflected in the title, the Guidelines have three objectives:

- 1) To establish an issue policy an adequate standard of support for children subject to the ability of parents to pay;
- 2) To make parents more equitable by ensuring more consistent treatment of parents in similar circumstances; and
- 3) To improve the efficiency of the court process by presenting guidelines and giving courts and the parties guidance in setting the order of events.

The Guidelines can be found in C.R.S. tit. 14, Colorado Revised Statutes (C.R.S.), and are consistent with other provisions of that section which place a duty for child support upon either or both parents based on their respective financial resources, the financial resources of the child, the needs of the custodial parent, the physical and emotional condition of the child, and the standard of living the child would have enjoyed had the marriage or civil union not been dissolved.

The Colorado Child Support Guidelines is based on an income shares model. This model provides an objective basis for determining the average costs of children in households across a wide range of incomes. Because household spending on behalf of children is intertwined with spending on behalf of adults for their expenditure categories, it is difficult to determine the proportion allocated to children in individual cases, even with extensive financial affidavits. However, a number of authoritative sources, which provide estimates of the average amount of household expenditures on children in most households. These studies have found that the proportion of household spending devoted to children is consistently related to the level of household income and to the number and ages of children.

Based on this empirical evidence, the Colorado Child Support Guidelines calculate child support based on each parent's share of the income attributed to basic support on the child if the parental and child were living in a shared household. If one parent has physical care for 50% or more overnights per year, the amount calculated for that parent is presumed to be spent directly on the child. For the other parent, the calculated amount represents the level of child support. For cases with shared (but not equal) physical care, or extensive spending of physical care, each parent's calculated share of total support is reduced by the total spent with the children.

2. Use of The Guideline

The Colorado Child Support Guidelines apply as a rebuttable presumption to child support orders in Colorado, except as discussed below. The Guidelines must be used for temporary and permanent orders, and for separations, dissolutions, and support decrees ending divorce non-marriage or non-cost union of the parties. The Guidelines must be used by the Court as the basis for reviewing the adequacy of child support levels in non-consent cases as well as contested hearings. The Court may exercise broad discretion in deciding from the Guidelines to cause either application should be inappropriate in view of the parties or to the child. In cases where the court deviates from the Guidelines, however, the Court must provide written or oral findings of fact to substantiate the deviation.

There is no intention to make the Guidelines more difficult to apply or to make them more difficult to use. The Colorado Child Support Guidelines are based on the Colorado Department of Public Safety's Child Support Services Manual for Child Support Services (October 2021).

Colorado Child Support Handbook The Parents Guide To Modification And Collection

Rachel Sandford



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